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FILE REF:

TO: Lloyd Eagan, AM/7
Clean Air Act Task Force Distribution List

FROM: Bob Lopez, AM/7

SUBJECT: Ozone Area Redesignation and SIP Updates – Upcoming Hearings

Now that the 2002 ozone season is winding down, I would like to provide an update on the ozone redesignation effort and some information related to ozone SIP submittals which will shortly be noticed for hearing as a single package. At this point we expect to send this package to EPA late in November. The components are part of our ongoing 1-hour ozone planning requirements and do not relate to new 8-hour ozone attainment planning which will formally commence once EPA publishes regulations or guidance regarding those implementation plans.

You may recall that earlier this summer we had to halt our effort to redesignate the full set of 1-hour ozone nonattainment areas to attainment because of extended elevated ozone concentrations at several key monitors. That episode resulted in renewed violations of the standard. However, we are still pursuing a redesignation request for the two areas that do not violate the standard – Door County and Manitowoc County. As part of the redesignation effort we are updating the maintenance plans for the other two northeastern WI areas – Sheboygan County and Kewaunee County – to be consistent with the plans developed for Door and Manitowoc. The basis of the updated 10 year maintenance plan for the four counties is continued implementation of the regional ozone attainment plan – a strategy consistent with that contained in the more comprehensive draft redesignation proposal that DNR requested comment on in May. Though the proposed plan would no longer require a contingent response on the part of IL and IN, since they will still be pursuing the core attainment progress strategies (eg – the NO_x SIPs), the maintenance plan will be based on a continued cooperative effort between the three states. A primary contingent response will be to pursue a regional assessment of emissions and air quality trends that cause any renewed ozone violations in the maintenance areas. If warranted by the evaluation, the states will work together to identify the most appropriate type and location of any contingent control effort that would go beyond the progress components of the attainment SIP that applies to the region.

As part of the SIP updates and maintenance plans, and after consultation with the transportation stakeholders, we are updating the mobile sector conformity budgets to incorporate EPA's new MOBILE6 emissions model along with other updated transportation modeling inputs in one step. These budgets are consistent with the attainment demonstration for 2007 and are required for all the ozone nonattainment and maintenance areas with the exception of Walworth County by the end of January. The May proposal instead incorporated updated budgets based on MOBILE5. Basing the current proposal on MOBILE6 eliminates an extra step that would otherwise be required of both the Department and the planning agencies.

Finally, as part of the current effort, and because some of the state's ozone areas will remain nonattainment at least through 2005, we have developed and will submit a 1999 SIP milestone inventory for VOC and NO_x in the 10 county area that clarifies our continued progress toward attainment.

At this point we are crafting the working draft conformity budgets that we will be sharing with the appropriate planning agencies by the end of the first week in October and have finalized the draft 1999 inventory (most of which reflects the 1999 draft inventory in the May package). The redesignation request package is being updated to reflect the more constrained request along with updated air quality data (including draft 2002 numbers) and the slightly updated regional maintenance plan. The full package of the SIP updates is planned for hearing on Nov 13, 2002, in Sheboygan. The formal notice should be published in mid-October.

If you have questions regarding our current efforts prior to the formal notice, please feel free to contact me at 608-267-5284. We will send you a follow-up notice when the full set of hearing draft materials is loaded on the ozone web site - <http://www.dnr.state.wi.us/org/aw/air/>.